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APPLICATION NO. 06/828,560	FILING DATE 03/31/97	FIRST NAMED INVENTOR EGNOR	ATTORNEY DOCKET NO. 33981
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PM32/0422

EXAMINER GRAHAM, M	
ART UNIT 3613	PAPER NUMBER

DATE MAILED: 04/22/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

28/828560

Applicant(s)

EGNDR

Examiner

ERWAN

Group Art Unit

3613

☒ Responsive to communication(s) filed on 2/5/99

☒ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 7-12 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-12 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit:

1. Receipt is acknowledged of the Amendment filed on 2/5/1999.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 6/1, 6/2, 7, 10, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gregg in view of Rapp.

Gregg shows a wheel chock having front and rear ramps, a flat bottom, securing means 4 and side wall 7.

The claimed invention differs only in the inclusion of a second side wall and the relative dimensions.

Rapp shows a wheel chock having front and rear ramps, securing means 23 and two side walls 14.

It would have been obvious to one of ordinary skill in the art to have included a second side wall on the wheel chock of Gregg in view of the teaching of Rapp so as to lock the wheel on both sides. The relative dimensions would be based on the size of the associated wheel to be chocked. The cleanliness of the wheel chock is dependent on the associated care of the device.

Re claim 2, note flat extending surface 4 on Gregg.

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Re-claims 6/1, 6/2, 7, the walls of Rapp project from the upper surface to the same degree as that shown by applicants.

Re-claims 10-11, the inclusion of holes in the flat extending surface of Gregg would have been obvious to one of ordinary skill in the art as a common type of fastening means and a substitute of known equivalent fasteners.

Re-claim 12, the recited method of use is inherent in Gregg, as modified by Rapp, as discussed above.

4. Claims 3, 4, 6/3, 6/4, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gregg, as modified by Rapp as applied to claims 1-2 above, and further in view of Wilson et al.

The claimed invention differs from Gregg, as modified by Rapp, only in angles of the ramps.

Wilson et al. show the rear ramp having a greater slope than the front.

It would have been obvious to one of ordinary skill in the art to have formed the ramp portions at different angles so as to easily roll the vehicle into the chock as taught by Wilson et al.

Re-claims 8-9, Wilson et al. show rails as the wheel support elements.

5. Applicant's arguments filed 2/5/1999 have been fully considered but they are not persuasive. Though Rapp fails to show a unibody construction, Gregg clearly shows the chock as a body. As to the declarations, none of the Declarations come from any person associated with

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the art of wheel chocks. The Declarations also fail to discuss the prior art and how the claimed invention may differ from the prior art.

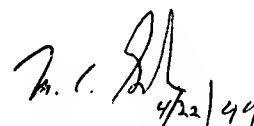
6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

7. Any inquiry concerning this communication should be directed to Mr. Graham at telephone number (703) 308-1113.

Graham-Carmen

April 21, 1999

  
4/22/99  
**MATTHEW C. GRAHAM**  
**PRIMARY EXAMINER**  
**GROUP 310**